

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

1

The Minutes

May 5, 2003

- C039657 THE PEOPLE v. KONS (Certified for Publication)**
Defendant's convictions for attempted murder and assault with a firearm and the related enhancement findings are reversed and remanded for retrial. In all other respects the judgment is affirmed.
ROBIE, J.
We concur: Morrison, Acting P.J.
Kolkey, J.
- C040171 THE PEOPLE v. FLOOD (Certified for Publication)**
The judgment is affirmed. (*CERTIFIED FOR PUBLICATION*)
NICHOLSON, J.
We concur: Sims, Acting P.J.
Davis, J.
- C042023 THE PEOPLE v. ORR (Not for Publication)**
The judgment is modified...
As modified, the judgment is affirmed.
BLEASE, Acting P.J.
We concur: Morrison, J.
Callahan, J.
- C040138 BONNETTE v. FLYNN (Not for Publication)**
The order modifying spousal support filed October 31, 2001, is affirmed.
SIMS, Acting P.J.
We concur: Nicholson, J.
Kolkey, J.
- C041067 ENTERCOM COMMUNICATIONS CORP. v. ROYCE INTERNATIONAL BROADCASTING CORPORATION et al. (Not for Publication)**
The interlocutory judgment of April 30, 2002, as modified September 13, 2003, is affirmed. Plaintiff shall recover its costs on appeal.
SIMS, Acting P.J.
We concur: Davis, J.
Robie, J.
- C041306 In re SAHARA K.; DEPARTMENT OF HEALTH AND HUMAN SERVICES v. SHADELL H. (Not for Publication)**
The order of the juvenile court is affirmed.
NICHOLSON, J.
We concur: Sims, Acting P.J.
Davis, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

2

The Minutes

May 5, 2003, continued

C039379 CASSIDY v. CASSIDY
BY THE COURT:
Appellant's petition for rehearing is denied.
NICHOLSON, Acting P.J.

C039490 CASSIDY et al. v. MURATORE et al.
BY THE COURT:
Appellant's petition for rehearing is denied.
NICHOLSON, Acting P.J.

May 6, 2003

C041320 THE PEOPLE v. CLARKE (Not for Publication)
The trial court is directed to prepare a corrected abstract of judgment deleting the three-year enhancement pursuant to section 1170.12 and reflecting (1) that defendant was sentenced as a two-strike defendant by checking the appropriate box and (2) the concurrent term for the misdemeanor offense. The trial court shall forward a certified copy of the corrected abstract to the Department of Corrections. The judgment is affirmed.
RAYE, J.
We concur: Sims, Acting P.J.
Kolkey, J.

May 7, 2003

C040230 THE PEOPLE v. CULLEN (Not for Publication)
The sentence is modified... As modified, the judgment is affirmed. The trial court shall prepare an amended abstract of decision and forward it to the Department of Corrections.
DAVIS, J.
We concur: Scotland, P.J.
Kolkey, J.

C040764 GOMEZ-PETERSON v. GOMEZ (Not for Publication)
The order of the trial court is affirmed. Costs on appeal are awarded to Husband.
NICHOLSON, Acting P.J.
We concur: Hull, J.
Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

3

The Minutes

May 8, 2003

C037486 THE PEOPLE v. RAMESES (Not for Publication)

The judgment is affirmed.

MORRISON, J.

We concur: Scotland, P.J.

Sims, J.

C040858 THE PEOPLE v. SOPHA (Not for Publication)

The judgment is affirmed.

MORRISON, J.

We concur: Scotland, P.J.

Raye, J.

C040698 PEEK v. BUIE

BY THE COURT:

Respondent's request to publish the opinion filed on April 10, 2003, is denied.

SIMS, Acting P.J.

May 9, 2003

C040241 THE PEOPLE v. MAXWELL, JR. (Not for Publication)

Defendant's convictions for violation of Health and Safety Code section 11352, subdivision (a), and Penal Code section 4573.5, and the true finding on the 1993 prior conviction as alleged are affirmed. The true finding on the 1984 prior conviction is reversed. His sentence is vacated. The matter is remanded to the trial court to exercise its discretion whether to strike the punishment imposed for the prior conviction enhancement and reimpose sentence. On resentencing, the court is directed to impose a \$50 drug laboratory fee, plus penalty assessments and order defendant to register as a drug offender. (Health & Saf. Code, § 11372.5, subd. (a); Pen. Code, § 1464; Gov. Code, § 76000; Health & Saf. Code § 11590, subd. (a).)

ROBIE, J.

We concur: Scotland, P.J.

Sims, J.

C040310 THE PEOPLE v. ALVAREZ (Not for Publication)

The judgment is affirmed.

SIMS, J.

We concur: Scotland, P.J.

Robie, J.

4

We concur: Sims, Acting P.J.
 Robie, J.